

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 8/30/2019
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
AMERICAN E GROUP LLC,

Plaintiff,

-against-

LIVEWIRE ERGOGENICS INC.,

Defendant.
----- X

1:18-cv-3969-GHW


ORDER

GREGORY H. WOODS, United States District Judge:

On August 5, 2019, the Court issued an opinion (the “Opinion”) granting Plaintiff leave to file a second amended complaint. Dkt. No. 152. Plaintiff filed its second amended complaint (the “SAC”) on August 22, 2019. Dkt. No. 168. On August 29, 2019, Plaintiff filed a motion to strike the SAC. Dkt. No. 171. Plaintiff argued that the SAC exceeded the scope of amendment permitted by the Opinion. The Court held a teleconference to discuss this issue with the parties on August 29, 2019. As discussed on the record during the teleconference held on August 29, 2019, the SAC is stricken because it fails to comply with the scope of amendment permitted by the Opinion. The Court grants Plaintiff leave to file an amended complaint that complies with the Opinion no later than September 3, 2019.

SO ORDERED.

Dated: August 30, 2019
New York, New York



GREGORY H. WOODS
United States District Judge